

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

June 23, 2021

Nathan Ochsner, Clerk of Court

United States of America)

v.)

Rafael Junior MARTINEZ)

Case No. **4:21-MJ-1399**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 22, 2021 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

Title 21 USC 841 and 846

Possession With Intent to Distribute a Controlled Substance; Conspiracy to Possess with Intent to Distribute a Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

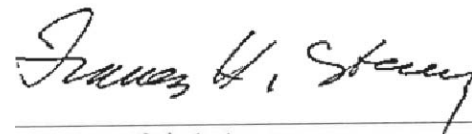
☒ Continued on the attached sheet.

Complainant's signature

Kedwin Polanco, SA

Printed name and title

Telephonically sworn to before me and signed.

Date: June 23, 2021

Judge's signature

City and state: Houston, Texas

Frances Stacy, United States Magistrate

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your affiant, Special Agent Kedwin Polanco, being duly sworn telephonically, deposes and states the following:

1. I have been a Special Agent with the Drug Enforcement Administration since March 5, 2017. I have been assigned to the Houston Field Division, Enforcement Group D-25, since November 2017. I have received specialized training in controlled substance violations, including, but not limited to, Title 21 of the United States Code. I am familiar with investigations involving the transportation, storage, and distribution of controlled substances.
2. This affidavit is in support of a complaint, charging Rafael Junior MARTINEZ, with a violation of Title 21, United States Code Sections 841 and 846: knowing and intentional possession with intent to distribute 5 kilograms or more of crystal methamphetamine, and conspiracy to knowingly and intentionally possess with intent to distribute 5 kilograms or more of methamphetamine. I learned of the following information from personal observation as well as from information given to me during this investigation.
3. In June 2021, a DEA Confidential Source, hereinafter CS, provided information regarding PELON, a source of methamphetamine located in Mexico. According to the CS, PELON, asked the CS for assistance in selling multi-kilogram quantiles of crystal methamphetamine in Houston, Texas. Your affiant, instructed the CS to coordinate a transaction for 10 kilograms of crystal methamphetamine. In exchange PELON agreed to charge \$5,000 per kilogram of methamphetamine. On June 22, 2021, PELON passed the CS a telephone number for a Houston based drug courier.
4. Through a series of wire and electronic communications, Task Force Officer Alejandro Duran, acting in undercover capacity and hereinafter UC, communicated with an unknown Hispanic male, later identified as Rafael Junior MARTINEZ. The UC informed MARTINEZ he was the person who was going to pick up ten (10) kilograms of methamphetamine the same day. MARTINEZ agreed. The UC and MARTINEZ agreed

to meet the same day around 3:00 pm to carry out the drug transaction. Then the UC sent MARTINEZ the address of 5445 West Loop South, Houston, Texas to complete the transaction. In exchange, MARTINEZ expected a payment of \$5,000 per kilogram of methamphetamine.


5. Later in the day, the UC established communications with MARTINEZ. MARTINEZ advised the UC that he (MARTINEZ) was in possession of 5 kilograms of methamphetamine. During negotiations, the UC told MARTINEZ to bring in the 5 kilograms of methamphetamine, for which MARTINEZ expected a payment of \$25,000. MARTINEZ advised the UC he (MARTINEZ) was 45 minutes away from the meet location.
6. Subsequently, MARTINEZ arrived at the meet location. There, MARTINEZ drove up to the area of a parking lot directed by the UC. MARTINEZ parked next to the UC vehicle. As the UC walked up, MARTINEZ reached to the passenger door of his vehicle and unlocked the door. MARTINEZ displayed a black plastic bin with a yellow top and advised the UC the 5 kilograms of crystal methamphetamine were inside of it. The UC then requested MARTINEZ to open the box to confirm the narcotics were there. MARTINEZ opened the plastic bin and the UC visually and physically confirmed the narcotics were inside the plastic bin.
7. The UC then gave the predetermined verbal signal and contacted SA Kedwin Polanco to alert the takedown team to execute the arrest. Subsequently, investigators moved in and took MARTINEZ into custody. During a vehicle search, investigator found the previously mentioned bin containing the methamphetamine in the front passenger seat of MARTINEZ vehicle.
8. MARTINEZ was transported to the DEA Houston Division Office. The vehicle driven by MARTINEZ was also relocated to the DEA Houston Division Office.
9. At the DEA Houston Division Office, the substance found inside the bin weighed approximately 5.075 kilograms. The evidence was secured in the DEA overnight storage for safe keeping. The substance will be sent to the DEA lab for analysis and safekeeping.

10. Based on the foregoing, I respectfully submit that probable cause exist to believe that Rafael Junior MARTINEZ, committed a violation of Title 21, United States Code Sections 841 and 846: knowing and intentional possession with intent to distribute 5 kilograms or more of methamphetamine, and conspiracy to knowingly and intentionally possess with intent to distribute 5 kilograms or more of methamphetamine, a Schedule II controlled substance.



Kedwin Polanco
Special Agent
Drug Enforcement Administration

Sworn telephonically and subscribed before me this 23rd day of June, 2021 and I find probable cause.



Frances H. Stacy
United States Magistrate Judge
Southern District of Texas